

Draft Minutes Detroit Board of Police Commissioners
Date of Meeting: Thursday, September 9, 2021 – 3:00 PM
Location: Zoom Virtual Meeting Platform

- I. **Chairperson Jim Holley called the BOPC Board Meeting to order at 3:00 p.m.**
- II. **Invocation.** Vice-Chairperson Martin Jones provided the invocation.
- III. **Mission Statement of the Board of Police Commissioners.**
- IV. **Introduction of Police Commissioners. A roll call was held, and a quorum was declared.**

Detroit Board of Police Commissioners' Membership / Attendance		
	Attend	Not-Attend
Rev. Jim Holley, PhD, Chairperson	Yes	
Martin Jones, Vice-Chairperson	Yes	
Darryl D. Brown	Yes	
Linda D. Bernard, Esq.	Yes	
Shirley A. Burch	Yes	
Willie E. Bell	Yes	
Willie E. Burton	Yes	
Lisa Carter		Absent
William M. Davis	Yes	
Jesus Hernandez		Absent
Annie Holt	Yes	
Quorum (Yes)	9	

- V. **Commissioner Bernard** moved “to approve the Agenda for Thursday, September 9, 2021.” The motion was adopted.

VOTE: **Yes = 7** **No = 0** **Motion: ADOPTED**

- VI. **Chairperson Holley** called for any corrections to the Meeting Minutes for August 26, 2021. The minutes were approved as corrected.

VOTE: **Yes = 7** **No = 0** **Motion: ADOPTED**

- VII. **Introductions of Board administrative and investigative staff, Chief of Police, Elected Officials or Representatives.**

- VIII. **Chair's Report.** Chairperson Holley provided the following information:

(1) PUBLIC HEALTH ORDER ISSUED AUGUST 25, 2021- As a reminder, on August 26, 2021, the Board voted to resume remote meetings starting September 9, 2021, through December 31, 2021, as allowed by the Public Health Order from the City's Chief Public Health Director Denise Fair. We thank you for your attendance today and your flexibility as we adhere to local, state, and CDC guidelines as well as the Open Meetings Act for public meetings.

(2) COMMISSIONERS' OFFICE/DESK SPACE AT THE PRECINCTS: We have now secured Commissioners Office/Desk Space at the precincts for your use. You have received information reflecting important details: regarding the location, desk placards, and other key updates. Should you have any questions, please contact Ms. White or Ms. Blossom. Also, thank you to Commander Parish and Captain Jevon Johnson in working to complete this project.

(3) OFFICERS' DUTIES BASED ON THE BOARD BYLAWS: I have requested our parliamentarian's opinion and observation: BASED ON PARLIAMENTARIAN ADVICE, our Board Parliamentarian, Dr. Frances Jackson, has provided the following observation and feedback to enhance Board operations: The Duties of the Officers for the Board are

governed by the Board's Bylaws ARTICLE IV – OFFICERS OF THE BOARD, DUTIES, REMOVAL, AND BOARD STAFF SECTION 6 DUTIES OF OFFICERS, The Chair or a Designee represents the Board in any official matter relating to the Board. Examples of behaviors that would be in violation of the referenced Bylaw provision includes but are not limited to the following: (1) While Commissioners retain their freedom of speech to voice their opinions on actions taken by the board, this does not extend to representing the Board with outside agencies in an attempt to overthrow decisions adopted by majority vote of this board; (2) Seeking action against a staff member of the Board or the Office of the Chief Investigator (OCI) with an outside agency; or (3) Representing the Board without prior authorization by the Chairperson or the majority vote of the full Board. Any dissatisfaction with any staff member of the Board or opposition to any Board action must be addressed before the Board in alignment with the Board's Bylaws and the Open Meetings Act. Commissioners are expected to come to the Board with any Board-related concerns or questions to allow the Board to properly address and resolve any matter involving the Board and its staff. I ask for your cooperation in this matter. As such, if any violations of the Bylaw provision occur, appropriate action will be taken by the full Board in alignment with the Board's Bylaws, the Open Meetings Act, and parliamentary procedures. Meeting in Closed Session BOPC, in accordance with the Open Meetings Act, can meet in closed session to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing. As a public body, we can go into closed session only upon a motion duly made, seconded and adopted majority roll call vote of those present, assuming a quorum is present. Such a motion could have the following form: "I move that the Board meet in closed session under section 8(a) of the Open Meetings Act to hear complaints about a staff member which they have requested be discussed in a closed hearing.

(4) SENIOR INVESTIGATOR INTERVIEWS: Today, we will interview (4) candidates for the position of Senior Investigator with the Office of the Chief Investigator. Each interview will last no more than 20-minutes. You have received all of the pertinent instructions in your Board packet. Immediately afterwards, the Board will have a closed session to discuss employment applications based on the Open Meetings Act.

(5) RESOLUTIONS: A resolution regarding tow contracts and the Office of Contracting and Procurement. A resolution honoring Sergeant Ralph Smith (Posthumously). Chief's Report: We look forward to the Chief's Report discussing important updates including crime and critical incidents impacting the Department and the community. Presentation(s): Today, we will have presentations from the Fourth Precinct; and the Human Resources. Facial Recognition Technology Update from Commissioner Burton: Commissioner Burton, the Board looks forward to your report on Facial Recognition next week. Thank you.

Resolution: Commissioner Holt read the Board of Police Commissioners Towing Resolution to Authorize the Office of Contracts and Procurement for Tow Contracts.

THE BOARD OF POLICE COMMISSIONERS TOWING RESOLUTION TO AUTHORIZE THE OFFICE OF CONTRACTS AND PROCUREMENT FOR TOW CONTRACTS

Whereas, in 2016, this Board issued 5 year permits to certain tow companies to allow them to act as police authorized towers.

Whereas, in 2017, shortly after receiving reports of corrupt activities by individuals connected with police authorized towing, this Board approved the following motion: "Based on the recommendation of Corporation Counsel (City of Detroit), the Board of Police Commissioners hereby supports the view that the process for awarding towing permits should be transferred to the City Office of the Chief Procurement Officer."

Whereas, thereafter multiple individuals connected to police authorized towing pled guilty to felonies involving bribery.

Whereas, the Office of Contract Procurement has prepared a request for proposal to bid out contracts for tow companies that wish to act as police authorized towers after the expiration of the 2016 tow permits, now scheduled to expire on September 30, 2021.

Whereas, it is important for purposes of transparency, and to avoid possible corruption of the bid process, that the bid process be conducted and supervised by the Office of Contract Procurement, and that contracts awarded to towers be approved by the Corporation Counsel, Director of Contract Procurement and City Council.

Now, therefore, be it resolved that the 2016 tow permits will terminate on September 30, 2021. The Board further acknowledges the following:

- A. The Office of Contract Procurement (OCP) will, upon adoption of this Resolution, immediately resume the RFP/bid process that was underway when the Board voted to extend the permits.

- B. The RFP/bid process shall be conducted and supervised by OCP, including the form and content of the RFP/bid process documents.
- C. Subject to the approval of the Procurement Director, the DPD shall take appropriate measures to ensure that up to three BOPC members or representatives serve on the committee tasked with scoring the towing companies applying for police authorized towing contracts.
- D. Contracts awarded to towers shall be approved by the Corporation Counsel, Director of Contract Procurement and City Council.
- E. All future procurements for police authorized towers shall be conducted in the same fashion as set forth above.
- F. The Board shall maintain supervisory oversight over the Towing Monitor and police authorized towing operations.
- G. After the towing contracts go into effect, the Towing Monitor shall notify the Board of Police Commissioners or its designee of its intent to notify the Office of the Inspector General or the Procurement Director of any matter that may result in adverse action against a contracted police authorized tower.
- H. In accordance with the Charter of the City of Detroit, local rules and ordinances, and the policies and procedures of OCP, the Procurement Director shall oversee all contracts entered into between the City of Detroit / Detroit Police Department and private towers for towing and recovery services.

Motion: Commissioner Holt **Second:** Commissioner Burch **Discussion:** None.

VOTE: **Yes = 8** **No = 1** **Motion: ADOPTED**

Yes: Chairperson Holley, Vice-Chairperson Jones, Commissioner Brown, Commissioner Burch, Commissioner Bell, Commissioner Burton, Commissioner Davis, and Commissioner Holt.

No: Commissioner Bernard.

- IX. **Resolution: Vice-Chairperson Jones** read the resolution honoring Sergeant Ralph L. Smith, Jr. (Posthumously).

**RESOLUTION HONORING
SERGEANT RALPH L. SMITH, JR.
POSTHUMOUSLY**

WHEREAS Ralph L. Smith was appointed to the Detroit Police Department on May 12, 1997. Upon graduating from the Metropolitan Police Academy, Officer Smith began his career at the Ninth Precinct Patrol Operations Section; and

WHEREAS Officer Smith dutifully served the Ninth Precinct, and Evidence Technician Unit. Officer Smith displayed tremendous knowledge and leadership skills and was promoted to the rank of Sergeant on February 2, 2004. Sergeant Smith's assignments included the Second Precinct Patrol Operations Section, Southwestern District, and Fourth Precinct. On Tuesday, August 31, 2021, Sergeant Ralph L. Smith, Jr., badge 0242, passed away; and

WHEREAS During his law enforcement career, Sergeant Smith was the deserving recipient of a Chief's Citation, the Aretha Franklin Funeral Recognition Award, both Consent Judgement Awards, the Major League Baseball All-Star Recognition Award, the Rosa Parks Funeral Recognition Award, the Super Bowl XL Recognition Award, and numerous letters of commendation from citizens and superiors; and

WHEREAS Sergeant Smith passionately served the Detroit Police Department, and the citizens of Detroit. His professionalism, commitment to public service, integrity, and dedication were a credit to the Detroit Police Department. He was highly respected by his peers as a consummate professional.

NOW, THEREFORE, BE IT

RESOLVED That the Detroit Board of Police Commissioners, speaking for the citizens of Detroit and the Detroit Police Department, awards this resolution posthumously in recognition of Sergeant Ralph L. Smith's 24 plus years of dedicated and diligent public service. His professionalism, integrity, and standard of commitment to the city of Detroit and its citizens merit our highest regards.

We salute you Sergeant Ralph L. Smith, Jr. for a job well done.

Commissioner Burch moved adoption of a resolution, which was adopted as follows: *"Resolved, That the Detroit Board of Police Commissioners, speaking for the citizens of Detroit and the Detroit Police Department, awards this resolution posthumously in recognition of Sergeant Ralph L. Smith's 24 plus years of dedicated and diligent public service. His professionalism, integrity, and standard of commitment to the city of Detroit and its citizens merit our highest regards."*

- X. **Chief of Police Report:** Chief of Police's Summary of CompStat Data and other Crime Information/DPD Information: **Chief James E. White** and reported on current CompStat Crime/Statistical Data for Violent Crime and Property; COVID-19 impacts, and recent critical incidents impacting DPD and the community. **See attached Meeting Transcripts for more information.**

PRESENTATION(S) TO THE BOARD: A. Human Resources Report: Director Katrina Patillo

B. Fourth Precinct: Captain Russell Solano and NPO Officer Alexis Kellogg

- A. **Human Resources Report – Director Katrina Patillo** provided **Director Katrina Patillo** provided a summary of activities and statistical data during the month of August 2021, noted below, including: staffing, hiring, manpower, leaves of absence, restricted duty, and suspensions. Please refer to the Human Resources' Report for full details.

EMPLOYEE CATEGORY	POSITIONS FILLED	VACANCIES	TOTAL POSITIONS
SWORN	2549	121	2670
CIVILIANS	627	124	751
TOTALS	3176	245	3421

SWORN RECRUITING (7/1/2021 – 08/31/2021)						
TOTAL # APPLICANTS	# IN PROCESS	# HIRED	WITHDREW ARCHIVED	TEMPORARILY DISQUALIFIED	DISQUALIFIED PERMANENTLY	# AWAITING MCOLES
850	15	12	21	61	46	341

NEW HIRES	
Sworn	10
Civilian	27
Police Assistants	0
Total New Hires	37

MCOLES							AGILITY EXAM						
SCHEDULED	APPEARED	PASSED	FAILED	RESCHEDULED	WD	NS	SCHEDULED	APPEARED	PASS	FAILED	RESCHEDULED	WD	NS
101	42	35	7	4	0	35	139	52	25	27	16	0	71

DETROIT RESIDENCY INFORMATION (as of August 2021)			
	SWORN	CIVILIAN	POLICE ASSISTANTS
Detroit	570	335	22
Non-Detroit	1929	292	28

ATTRITION August 2021			
SWORN	CIVILIAN	POLICE ASSISTANTS	TOTAL
18	8	3	29

LEAVES OF ABSENCE / RESTRICTED DUTY								
Employee Category	FMLA Continuous	FMLA Intermittent	Medical Leave	Military	Personal Education	Restricted	Disabled	Sick
Sworn	18	30	3	3	0	159	41	27
Civilian	5	37	2	0	0	4	0	8

SWORN PERSONNEL SUSPENSIONS					
Police Officer	Corporal	Detective	Sergeant	Lieutenant	Total
11	1	0	1	1	14

TOTAL SEPARATIONS
18

DROP PROGRAM (DEFERRED RETIREMENT OPTION PLAN)
TOTAL
568

- B. Fourth Precinct – Captain Russell Solano and NPO Officer Alexis Kellogg** reported on overall crime within the Fourth Precinct and activities and operations including but not limited to the following: Crime Statistics within the Fourth Precinct providing year-to-date comparisons on crime data; NPOs Initiatives, Specialized and Targeted Enforcement Initiatives; Ceasefire; ShotSpotter; other precinct initiatives, and community partnerships.

XII. Report from Interim Board Secretary Melanie White/Communications Submitted to BOPC as incoming information:

1. Weekly DPD Facial Recognition Technology Report 8/23/21 – 9/5/21
2. Human Resources' Report
3. Project Green Light Report 9/1/21
4. Wassem Fomua v City of Detroit, et al - Case No. 21-11018
5. Correspondence from COP James E. White Re: Change of Duty Status to Administrative Leave Without Pay but with Medical Benefits for Police Officer Otis Funches, Badge 690, assigned to the Twelfth Precinct
6. Correspondence from Barry Foster, DTA President Re: Permit Extension/Contract Postponement 9/2/21
7. President Jones Towing Amendment Docs
8. Correspondence from Lieutenant Stanley Re: Grievance Documentation
9. Staff Reports

XIII. Unfinished Business.

XIV. Announcements.

Mr. Robert Brown announced the following:

1. **Next Virtual Meeting:** Thursday, September 16, 2021, @ 3:00 p.m., Zoom Technology.
2. **Next Virtual Meeting:** Thursday, September 23, 2021, @ 3:00 p.m., Zoom Technology.

XV. Oral Communications/Public Comments:

Ms. Bernice Smith, Overwith is Mr. Rhuben Crowley, Kathryn, Cunningham, 402 is Ms. Joy, Resident, Ms. Michelle George, Minister Eric Blount and CAC Scotty Boman offered public comments.

XVI. New Business. The Board of Police Commissioners conducted interviews for the position of Senior Investigator with the Board of Police Commissioners – Office of the Chief Investigator Unit. The following candidates were interviewed.

(1) Gianna Coulter; (2) Hajnal Hiller; (3) Elgin Murphy; and (4) Marquitta Stanton

XVII. Chairperson Holley adjourned the meeting at 5:58 p.m.